

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

ADRIAN JUAREZ ORTIZ et al., on behalf
of himself and all others similarly situated,

Plaintiffs,

Case No. 3:24-cv-00572-S

v.

HON. KAREN GREN SCHOLER

GERDAU AMERISTEEL US, INC.
and **GERDAU MACSTEEL, INC.**,

Defendants.

**STIPULATED MOTION TO FILE EXTENDED BRIEF IN SUPPORT OF UNOPPOSED
MOTION FOR APPROVAL OF COLLECTIVE ACTION SETTLEMENT**

STIPULATED MOTION

Plaintiffs and Defendants (together, the “Parties”), by and through their undersigned attorneys, respectfully submit this Stipulated Motion to File Extended Brief in Support of Unopposed Motion for Approval of Collective Action Settlement. The Parties have conferred in good faith, there will be no prejudice to the Parties if this Stipulated Motion is granted, and, in the interests of justice, this Stipulated Motion should be granted.

WHEREAS, on March 7, 2024, Plaintiffs Adrian Juarez Ortiz and William Phillips (“Plaintiffs”), individually and on behalf of all others similarly situated, filed their Collective Action Complaint against Defendants Gerdau Ameristeel US, Inc. (“Ameristeel”) and Gerdau Macsteel, Inc. (“Macsteel”), alleging that Ameristeel and Macsteel violated the Federal Equal Pay Act (29 U.S.C. § 206(d) and 215(a)(2)) (“EPA”) by depriving birth fathers of paid parental leave benefits that are equal to what Ameristeel afforded to birth mothers (See Dkt. No. 1);

WHEREAS, prior to filing their Collective Action Complaint, between June 2023 through December 2023 and after the Parties entered into a Tolling Agreement, the Parties engaged in settlement negotiations, an exchange of relevant informal discovery, and participated in an all-day, private mediation session through which the Parties ultimately agreed to resolve this Action;

WHEREAS, in connection with the Settlement Agreement, and pursuant to the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.*, Plaintiffs intend to file their Motion for Approval of Collective Action Settlement and Notice of Collective Action Settlement in the near future, in which Plaintiffs will seek approval of their collective action settlement through a one-step settlement approval process wherein the collective action will be certified for settlement purposes only and notice will be issued.

WHEREAS, Plaintiffs’ Motion for Approval of Collective Action Settlement and Notice of Collective Action Settlement is complex in nature, and will set forth in detail: (a) the factual and procedural background of this action, including the Plaintiffs’ background, the parental leave policies at issue, the Parties’ settlement negotiations, and the legal claims underlying this action;

(b) a summary of all proposed settlement terms, including the definition of the potential collective action members and the procedures to become a participating EPA opt-in member, modifications to Defendants' parental leave policies, the gross settlement amount and individual settlement payments to participating EPA opt-in members, the notice and opt-in process for potential collective action members, the release and discharge of claims for each participating EPA opt-in member, the proposed attorneys' fees and litigation expenses, Plaintiffs' general release payments, and details regarding the claims administrator and the administration process; (c) the proposed collective action settlement procedure; and (d) why Plaintiffs believe approval of the proposed settlement is appropriate here, including why the settlement represents a compromise of a bona fide dispute, why the settlement is fair and reasonable, why the proposed attorneys' fees and costs to Plaintiffs' counsel are fair and reasonable, and why the general release payments to the named Plaintiffs are fair and reasonable;

WHEREAS, pursuant to Local Rule 7.2(c), "a brief must not exceed 25 pages" unless the presiding judge grants "[p]ermission to file a brief in excess of these page limitations...for extraordinary and compelling reasons."

WHEREAS, the Parties agree that in order to adequately advise the Court of the Settlement Agreement in requesting approval of the collective action settlement in this action—including adequately advising the Court why Plaintiffs believe the proposed Settlement and its terms are fair and reasonable and that approval of the Settlement is appropriate—more than 25 pages is necessary. Should the Court grant the Parties' request to file a longer brief than 25-pages, Plaintiffs are prepared to imminently file their Motion for Approval of Collective Action Settlement, which is 42 pages including footnotes.

IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES THAT:

This Court enter an Order granting Plaintiffs permission to file an extended brief, of 42 pages, in support of their Motion for Approval of Collective Action Settlement.

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Dated this 8th day of April, 2024.

/s/Craig J. Ackermann

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